

1 TOURISM, ARTS AND HERITAGE CABINET

2 Department of Fish and Wildlife Resources

3 (Amendment)

4 301 KAR 3:022. License, tag, and permit fees.

5 RELATES TO: KRS 150.025, 150.180, 150.183, 150.240, 150.275, 150.280, 150.290,

6 150.450, 150.485, 150.520, 150.525, 150.600, 150.603, 150.660, 150.720

7 STATUTORY AUTHORITY: KRS 150.175, 150.195(4)(f), 150.225, 150.620

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.175 authorizes the types of  
9 licenses, permits, and tags. KRS 150.195(4)(f) requires the department to promulgate an  
10 administrative regulation establishing the license and permit terms and the expiration  
11 date of licenses and permits. KRS 150.225 requires the department to promulgate  
12 administrative regulations establishing reasonable license fees relating to hunting,  
13 fishing, and trapping. KRS 150.620 authorizes the department to charge reasonable fees  
14 for the use of lands and waters it has acquired for wildlife management and public  
15 recreation. This administrative regulation establishes fees and terms for licenses,  
16 permits, and tags.

17 Section 1. Licenses, tags, and permits listed in this section shall be valid from March 1  
18 through the last day of February the following year. (1) Sport fishing licenses:

- 1 (a) Statewide annual fishing license (resident): twenty-three (23) dollars;
- 2 (b) Statewide annual fishing license (nonresident): fifty-five (55) dollars;
- 3 (c) Joint statewide fishing license (resident): forty-two (42) dollars;
- 4 (d) Statewide three (3) year fishing license (resident): fifty-five (55) dollars; and
- 5 (e) Trout permit (resident or nonresident): ten (10) dollars.
- 6 (2) Commercial fishing licenses:
- 7 (a) Commercial fishing license (resident), plus ten (10) resident commercial gear tags:
- 8 \$150; ~~and~~
- 9 (b) Commercial fishing license (nonresident), plus ten (10) nonresident commercial
- 10 gear tags: \$600; and
- 11 (c) Commercial fishing license for Asian carp and scaled rough fish (nonresident), plus
- 12 ten (10) nonresident gear tags: \$150.
- 13 (3) Commercial fishing gear tags (not to be sold singly):
- 14 (a) Commercial fishing gear tags (resident) block of ten (10) tags: fifteen (15) dollars;
- 15 ~~and~~
- 16 (b) Commercial fishing gear tags (nonresident) block of ten (10) tags: \$100; and
- 17 (c) Commercial fishing gear tags for Asian carp and scaled rough fish (nonresident),
- 18 block of ten (10) tags: fifteen (15) dollars.
- 19 (4) Hunting licenses:
- 20 (a) Statewide hunting license (resident): twenty-seven (27) dollars;

- 1 (b) Statewide hunting license (nonresident): \$150;
- 2 (c) Statewide junior hunting license (resident): six (6) dollars;
- 3 (d) Statewide junior hunting license (nonresident): ten (10) dollars;
- 4 (e) Shooting preserve hunting license (resident or nonresident): five (5) dollars; and
- 5 (f) Migratory game bird and waterfowl permit (resident or nonresident): fifteen (15)
- 6 dollars.
- 7 (5) Combination hunting and fishing license (resident): forty-two (42) dollars.
- 8 (6) Senior or disabled combination hunting and fishing license (resident): twelve (12)
- 9 dollars.
- 10 (7) Trapping licenses:
- 11 (a) Trapping license (resident): twenty (20) dollars;
- 12 (b) Trapping license (resident landowner – tenant): ten (10) dollars;
- 13 (c) Trapping license (nonresident): \$130; and
- 14 (d) Junior trapping license (resident): five (5) dollars.
- 15 (8) Game permits:
- 16 (a) Resident bear: thirty (30) dollars;
- 17 (b) Resident youth bear: ten (10) dollars;
- 18 (c) Nonresident bear: \$250;
- 19 (d) Resident bear chase: thirty (30) dollars;
- 20 (e) Resident youth bear chase: ten (10) dollars;

- 1 (f) Resident quota cow elk permit: sixty (60) dollars;
- 2 (g) Nonresident quota cow elk permit: \$400;
- 3 (h) Resident quota bull elk permit: \$100;
- 4 (i) Nonresident quota bull elk permit: \$550;
- 5 (j) Resident either sex archery and crossbow elk permit: \$100;
- 6 (k) Nonresident either sex archery and crossbow elk permit: \$550.
- 7 (l) Resident out-of-zone elk permit: thirty (30) dollars;
- 8 (m)~~[(k)]~~ Nonresident out-of-zone elk permit: \$400;
- 9 (n)~~[(l)]~~ Resident deer permit: thirty-five (35) dollars;
- 10 (o)~~[(m)]~~ Nonresident deer permit: \$185;
- 11 (p)~~[(n)]~~ Resident youth deer: ten (10) dollars;
- 12 (q)~~[(o)]~~ Nonresident youth deer: fifteen (15) dollars;
- 13 (r)~~[(p)]~~ Additional deer permit (resident or nonresident): fifteen (15) dollars;
- 14 (s)~~[(q)]~~ Resident spring turkey: thirty (30) dollars;
- 15 (t)~~[(r)]~~ Nonresident spring turkey: eighty-five (85) dollars;
- 16 (u)~~[(s)]~~ Resident fall turkey: thirty (30) dollars;
- 17 (v)~~[(t)]~~ Nonresident fall turkey: eighty-five (85) dollars;
- 18 (w)~~[(u)]~~ Resident youth turkey: ten (10) dollars;
- 19 (x)~~[(v)]~~ Nonresident youth turkey: fifteen (15) dollars;
- 20 (y)~~[(w)]~~ Resident youth elk: thirty (30) dollars; and

1     ~~(z)~~[(x)] Nonresident youth elk: \$200.

2     (9) Peabody individual permit: fifteen (15) dollars.

3     (10) Sportsman's license (resident), which includes a resident hunting and fishing  
4     license, spring turkey permit, fall turkey permit, trout permit, state migratory game bird  
5     and waterfowl permit, and deer permit: ninety-five (95) dollars.

6     (11) Junior sportsman's license (resident), which includes a junior hunting license,  
7     junior deer permit, and two (2) junior turkey permits: thirty (30) dollars.

8     (12) Land Between the Lakes hunting permit: twenty (20) dollars.

9     (13) Conservation permit: five (5) dollars.

10    Section 2. Licenses, tags, and permits listed in this section shall be valid for the  
11    calendar year issued. (1) Live fish and bait dealer's licenses:

12    (a) Live fish and bait dealer's license (resident): fifty (50) dollars; and

13    (b) Live fish and bait dealer's license (nonresident): \$150.

14    (2) Commercial taxidermist license: \$150.

15    (3) Commercial guide licenses:

16    (a) Commercial guide license (resident): \$150; and

17    (b) Commercial guide license (nonresident): \$400.

18    (4) Shooting area permit: \$150.

19    (5) Dog training area permit: fifty (50) dollars.

20    (6) Collecting permits:

- 1 (a) Educational wildlife collecting permit: twenty-five (25) dollars; and
- 2 (b) Scientific wildlife collecting permit: \$100.
- 3 (7) Nuisance wildlife control operator's permit: \$100.
- 4 (8) Pay lake license:
- 5 (a) Pay lakes obtaining all fish from private hatcheries only:
- 6 1. Lakes with two (2) acres or less: \$250; and
- 7 2. Each additional acre or part of an acre: Fifty (50) dollars; and
- 8 (b) Pay lakes obtaining all or a portion of catfish from public waters:
- 9 1. Lakes with two (2) acres or less: \$600; and
- 10 2. Each additional acre or part of an acre: fifty (50) dollars~~[First two (2) acres or less:~~
- 11 ~~\$150; and~~
- 12 ~~(b) Per additional acre or part of acre: twenty (20) dollars].~~
- 13 (9) Commercial captive wildlife permit: \$150.
- 14 (10) Commercial fish propagation permit: fifty (50) dollars.
- 15 (11) Wildlife rehabilitator's permit: twenty-five (25) dollars.
- 16 (12) Annual wildlife transportation permit: \$250.
- 17 (13) Peabody Wildlife Management Area annual event permit: \$250.
- 18 (14) Fish transportation permit: twenty-five (25) dollars.
- 19 Section 3. Licenses, tags, and permits listed in this section shall be valid for three (3)
- 20 years from the date of issue. (1) Falconry permit: seventy-five (75) dollars.

(2) Noncommercial captive wildlife permit: seventy-five (75) dollars.

Section 4. Licenses, tags, and permits listed in this section shall be valid for the date or dates specified on each. (1) Short-term licenses:

(a) One (1) day resident fishing license: seven (7) dollars;

(b) One (1) day nonresident fishing license: fifteen (15) dollars;

(c) Seven (7) day nonresident fishing license: thirty-five (35) dollars;

(d) One (1) day resident hunting license (not valid for deer, elk, or turkey hunting): seven (7) dollars;

(e) One (1) day nonresident hunting license (not valid for deer, elk, or turkey hunting): twenty-five (25) dollars; and

(f) Seven (7) day nonresident hunting license (not valid for deer, elk, or turkey hunting): sixty-five (65) dollars.

(2) Individual wildlife transportation permit: twenty-five (25) dollars.

(3) Special resident commercial fishing permit: \$600.

(4) Special nonresident commercial fishing permit: \$900.

(5) Commercial waterfowl shooting area permit: \$150.

(6) Shoot to retrieve field trial permits:

(a) Per trial (maximum four (4) days): seventy-five (75) dollars; and

(b) Single day: twenty-five (25) dollars.

(7) Boat dock permit: \$100 per ten (10) year permit period beginning January 1, 2008,

except that the fee shall be pro-rated for the number of years remaining in the ten (10) year period.

(8) Shoreline use permit: Valid for a fifteen (15) year permit period beginning January 1, 2010 and shall contain three (3) tiers:

(a) Tier I: \$100;

(b) Tier II: \$200;

(c) Tier III: \$300; and

(d) The fees shall be pro-rated to the nearest five (5) year interval remaining in the fifteen (15) year permit period.

(9) Peabody individual event permit: twenty-five (25) dollars.

(10) Commercial roe-bearing fish buyer's permit:

(a) Commercial roe-bearing fish buyer's permit (resident): \$500; and

(b) Commercial roe-bearing fish buyer's permit (nonresident): \$1,000.

(11) Commercial roe-bearing fish harvester's permit:

(a) Commercial roe-bearing fish harvester's permit (resident): \$500; and

(b) Commercial roe-bearing fish harvester's permit (nonresident): \$1,500.

(12) Otter Creek Outdoor Recreation Area:

(a) Daily Entry Permit: three (3) dollars, with children under twelve (12) free; and

(b) Daily Special Activities Permit: seven (7) dollars.

(13) Commercial foxhound training enclosure permit: \$150.



Section 5. Licenses, tags, and permits listed in this section shall be valid on a per unit basis as specified. (1) Ballard waterfowl hunt (per person, per day): fifteen (15) dollars.

(2) Pheasant hunt permit (per person, per day): twenty-five (25) dollars.

(3) Horse stall rental (per space, per day): two (2) dollars.

(4) Dog kennel rental (per dog, per day): fifty (50) cents.

(5) Captive cervid permit (per facility, per year): \$150.

(6) Noncommercial captive cervid permit (per facility, per three (3) years): seventy-five (75) dollars.

Section 6. The following licenses listed in this section shall be valid from April 1 through March 31 of the following year:

(1) Fur processor's license (resident): \$150;

(2) Fur buyer's license (resident): fifty (50) dollars; and

(3) Fur buyer's license (nonresident): \$300.

Section 7. The following Otter Creek Outdoor Recreation Act permits shall be valid from July 1 through June 30 of the following year:

(1) Annual Entry Permit: thirty (30) dollars, with children under twelve (12) free; and

(2) Annual Special Activities Permit: seventy (70) dollars.

Approved by the Fish and Wildlife Commission

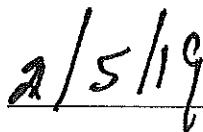


Rich Storm, Commissioner  
Department of Fish and Wildlife Resources



Don Parkinson, Secretary  
Tourism, Arts and Heritage Cabinet

Date:



PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on March 25, 2019 at 10:00 a.m. at the Department of Fish and Wildlife Resources in the Commission Room of the Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky. Individuals interested in attending this hearing shall notify this agency in writing by five business days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled.

This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made.

If you do not wish to attend the public hearing, you may submit written comments on the proposed administrative regulation through March 31, 2019.

Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to:

Mark Cramer  
Department of Fish and Wildlife Resources  
Arnold L. Mitchell Building  
#1 Sportsman's Lane  
Frankfort, Kentucky 40601  
(502) 564-3400 FAX (502) 564-0506  
Email: [fwpubliccomments@ky.gov](mailto:fwpubliccomments@ky.gov)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

301 KAR 3:022. License, tag, and permit fees.

Contact Person: Mark Cramer

Email: mark.cramer@ky.gov

Phone: 502-564-3400

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes fees and terms for licenses, permits, and tags sold by the Department of Fish and Wildlife Resources.

(b) The necessity of this administrative regulation: This administrative regulation is necessary for the department to establish reasonable license fees, permit terms, and the expiration dates of licenses and permits.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 150.175 authorizes the types of licenses, permits, and tags that the department can issue. KRS 150.195(4)(f) requires the department to promulgate an administrative regulation establishing the license and permit terms and the expiration date of licenses and permits. KRS 150.225 requires the Department to prescribe reasonable fees for licenses, permits, and registrations authorized by Chapter 150. KRS 150.620 authorizes the department to charge reasonable fees for the use of lands and waters it has acquired for wildlife management and public recreation.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation fulfills the requirements and purposes of the statutes identified in (1)(c) by establishing reasonable fees and terms for licenses, permits, and tags issued by the Department.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment establishes a reduced-fee (\$150), non-resident, commercial fishing license for Asian carp and scaled rough fish (reduced from \$600 for a standard non-resident commercial fishing license). Non-resident commercial gear tags purchased under this license will also be reduced to \$15 per 10 tags (from \$100 per 10 tags for a standard non-resident commercial fishing license). In addition, the pay lake license fee is now split into two tiers: \$250 for pay lakes obtaining all catfish from private hatcheries only, plus \$50 for each additional acre; \$600 for pay lakes obtaining all or a portion of catfish from public waters, plus \$50 for each additional acre. This amendment also establishes an either sex elk archery and crossbow permit for both residents and nonresidents.

(b) The necessity of the amendment to this administrative regulation: Commercial fishing is critical for the reduction of Asian carp in Kentucky's waters. The current \$600 non-resident commercial fishing license is prohibitive to recruiting non-resident commercial fishermen to Kentucky to target Asian carp. The new \$150, non-resident commercial fishing license will be available to those commercial fishermen willing to harvest a minimum ratio of 65% Asian carp to 35% scaled rough on a monthly basis. Harvest of catfish will not be allowed with this license. The department hopes to incentivize non-resident commercial fishermen with this license and increase overall harvest of Asian carp in the state. Pay lake license fees have been increased to provide oversight on the pay lake industry and ensure that overharvest of trophy catfish from public resources for pay lake use is prevented. In order to monitor catfish usage from public resources, it will require approximately \$30,000 for two seasonal Fish and Wildlife Technician I positions to monitor and review data provided by the pay lakes. It was also necessary to establish an either sex elk permit for archery and crossbow for both residents and nonresidents since the permit structure recently was modified.

(c) How the amendment conforms to the content of the authorizing statutes: See (1)(c) above.

(d) How the amendment will assist in the effective administration of the statutes: See (1)(d) above.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The number of non-resident commercial fishermen that may purchase the reduced-fee license for targeting Asian carp is unknown. However, there are a substantial number of non-resident commercial fishermen that have not fished in Kentucky for Asian carp due to the cost of the current non-resident commercial fishing license. There are approximately 80 pay lakes currently operating in Kentucky. All operating pay lakes owners will be affected by the new pay lake license fees. There are approximately 35,000 to 45,000 people who apply for the elk permit drawing, of which approximately 600 are drawn.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Purchasers of the above licenses will be required to pay the new fees.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): It will depend on the particular license that is purchased. The new fees are listed in (2)(a) above.

(c) As a result of compliance, what benefits will accrue to the entities identified in

question (3): Non-resident commercial fishermen willing to harvest a minimum ratio of 65% Asian carp to 35% scaled rough fish on a monthly basis will benefit from the reduced-fee commercial fishing license. Increased pay lake license fees will allow the department to provide better oversight on the pay lake industry and ensure that overharvest of trophy catfish from public resources for pay lake use is prevented. Pay lake operators will also be able to provide the department with fish stocking information that will support their efforts in public resource trophy catfish conservation. Elk hunters should experience a higher harvest success rate with the new permit structure, as it increases opportunity.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There will be minimal cost to the department to implement this administrative regulation.

(b) On a continuing basis: There should be no additional cost to the department on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The source of funding is the State Game and Fish Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: Yes, this amendment establishes an increase in pay lake license fees for the reasons listed in (2)(b) above.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: Yes, this administrative regulation directly increased pay lake license fees as listed in (2)(a) above.

(9) TIERING: Is tiering applied? (Explain why or why not). Yes. Tiering is applied for pay lake license fees based on whether or not a pay lake obtains their catfish from public waters. Those pay lakes obtaining catfish from public waters must pay a higher license fee. Although all pay lakes will be monitored by the department through the use of two seasonal employees, a higher level of time and effort will be applied towards those pay lakes obtaining catfish from public waters. This is necessary to determine the impacts to our public resources and to prevent the overharvest of trophy catfish from these waters for use in pay lakes.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 301 KAR 3:022 License, tag, and permit fees.

Contact Person: Mark Cramer

Email: mark.cramer@ky.gov

Phone number: (502) 564-3400

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department's Division of Administrative Services and Fisheries Division will be impacted by this amendment.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 150.175, 150.195, 150.225, and 150.620.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? It is unknown how much revenue will be generated by these license fee changes. Non-resident commercial license fee revenue should increase somewhat with increased non-resident participation. Pay lake license revenue will be dependent on where pay lakes are obtaining their catfish.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This amendment should generate similar revenue in each subsequent year.

(c) How much will it cost to administer this program for the first year? There will be a minimal cost to administer this program for the first year.

(d) How much will it cost to administer this program for subsequent years? There should be no additional costs incurred for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to

explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: